



# STAFF REPORT

**Report To:** Board of Supervisors

**Meeting Date:** April 20, 2017

**Staff Contact:** Lee Plemel, Community Development Director

**Agenda Title:** For Possible Action: To adopt a resolution reporting the City Engineer's estimated assessment roll for Fiscal Year 2018 identifying the cost to be paid by the Downtown NID (Neighborhood Improvement District) for the purpose of paying for maintenance of the downtown streetscape enhancement project; directing city staff to file the Assessment Roll with the Clerk's office; fixing the time and place to hear complaints, protests and objections regarding the assessment; and directing city staff to provide notice of the public hearings pursuant to NRS Chapter 271. (Lee Plemel, lplemel@carson.org)

**Staff Summary:** The Board of Supervisors adopted Ordinance No. 2016-1 establishing the Downtown NID on January 7, 2016, and implemented the first annual assessment for the FY 2016-17 to assist in the cost of sidewalk maintenance. The proposed Resolution initiates the process for implementing the annual assessment for FY 2017-18, as provided in NRS Chapter 271.

**Agenda Action:** Resolution

**Time Requested:** 15 minutes

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## **Proposed Motion**

I move to adopt Resolution No. 2017-R-\_\_ reporting the City Engineer's estimated assessment roll for Fiscal Year 2018 identifying the cost to be paid by the Downtown NID (Neighborhood Improvement District) for the purpose of paying for maintenance of the downtown streetscape enhancement project; directing city staff to file the Assessment Roll with the Clerk's office; fixing the time and place to hear complaints, protests and objections regarding the assessment; and directing city staff to provide notice of the public hearings pursuant to NRS Chapter 271.

## **Board's Strategic Goal**

Economic Development

## **Previous Action**

On January 7, 2016, the Board of Supervisors approved an ordinance establishing the Downtown Neighborhood Improvement District.

## **Background/Issues & Analysis**

The Board of Supervisors adopted Ordinance No. 2016-1 establishing the Downtown NID on January 7, 2016, in order to assess property owners to help pay for the ongoing maintenance of the Downtown Streetscape Enhancement Project improvements. The NID was initiated by petition of property owners representing more than 50% of the assessed valuation of properties within the NID.

NRS Chapter 271 provides for the annual procedures for implementing a NID assessment. The Resolution on this agenda initiates the actions necessary for implementing the annual assessment of properties within the Downtown NID. Following is the schedule of actions to implement the assessment:

- Property Owner Notification - Notification is sent out to all property owners via certified mail, publish in the newspaper and posted.

- May 18 Board of Supervisors items:

1. Consideration of Hardship Determinations. Hardship Determinations allow a deferment of the assessment based on income per the adopted policy. (NRS 271.360[3])
2. Public Hearing to consider complaints, protests and objections to the assessment. (NRS 271.380-385)
3. Adoption of a Resolution to confirm, revise or correct the Assessment Roll. (NRS 271.378[3] & 385[2])
4. Introduction of an ordinance to levy the assessments in the roll. (NRS 271.390[1])

- June 1 Board of Supervisors items:

1. Adoption, on second, reading of the ordinance to levy the assessments in the roll.

- Notification of assessment - Notification of the assessment is sent to the property owners.

Upon completion of the Downtown Streetscape Enhancement Project in the fall of 2016, City staff began work with downtown property owners to form the Downtown NID Board. City staff, including Public Works, Parks and Recreation, and Community Development, has continued to work with the NID Board to establish the maintenance standards and help develop the bid documents for the NID Board to solicit bids for the maintenance. As of the writing of this staff report, the NID has released the maintenance documents and is seeking maintenance bids.

The enacting Downtown NID ordinance provides for an annual increase in the total assessment equal to the 10-year CPI (Consumer Price Index), which was 2.1% at the end of 2016. The ordinance also provides that "once a credit balance of 20% above the projected cost of maintenance is established in the maintenance account for unexpected expenses (e.g. unanticipated heavy snow removal), the City shall reduce the assessment amount to the actual projected maintenance cost (if that cost is less than the base assessment amount plus CPI increases)."

Since the bids for an entire season of maintenance are still pending, the projected cost of maintenance for the next Fiscal Year is not known at this time. It is anticipated that this information will be available before the assessment is implemented by ordinance in May.

Since the 20% "credit balance" on the estimated annual cost has not been established or reached per the ordinance, staff recommends that the FY 2017-18 assessment be increased by the 2.1% CPI, increasing the total assessment from \$49,736 to \$50,780. This would allow the NID Board and the City to evaluate a complete year of maintenance cost, with a high likelihood of the excess funds from the current partial year of maintenance resulting in a reduction of the assessment the following year.

Contact Lee Plemel at 283-7075 or lplemel@carson.org for any questions regarding this item.

### **Applicable Statute, Code, Policy, Rule or Regulation**

NRS Chapter 271

### **Financial Information**

Is there a fiscal impact?  Yes  No

If yes, account name/number: N/A

Is it currently budgeted?  Yes  No

Explanation of Fiscal Impact: The City will continue to pay its portion of downtown maintenance costs in an amount that has been budgeted in past years before the downtown improvements, which is identified in the draft FY 2018 City budget.

**Alternatives**

Do not implement the Downtown NID assessment.

**Attachments:**

- 1) Resolution
- 2) Ordinance 2016-1 establishing the Downtown NID

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Vote Recorded By)

RESOLUTION NO. 2017-R-\_\_

**A RESOLUTION REPORTING THE CITY ENGINEER'S ESTIMATED ASSESSMENT ROLL FOR FISCAL YEAR 2018 IDENTIFYING THE COST TO BE PAID BY THE DOWNTOWN NID (NEIGHBORHOOD IMPROVEMENT DISTRICT) FOR THE PURPOSE OF PAYING FOR MAINTENANCE OF THE DOWNTOWN STREETScape ENHANCEMENT PROJECT; DIRECTING CITY STAFF TO FILE THE ASSESSMENT ROLL WITH THE CLERK'S OFFICE; FIXING THE TIME AND PLACE TO HEAR COMPLAINTS, PROTESTS AND OBJECTIONS REGARDING THE ASSESSMENT; AND DIRECTING CITY STAFF TO PROVIDE NOTICE OF THE PUBLIC HEARINGS PURSUANT TO NRS CHAPTER 271.**

**WHEREAS**, the Carson City Board of Supervisors adopted Ordinance No. 2016-1 establishing the Downtown Neighborhood Improvement District ("NID") on January 7, 2016, to help pay for the ongoing maintenance of the street beautification project known as the Downtown Streetscape Enhancement Project, and that ordinance provided for the baseline property assessment as well as other requirements; and

**WHEREAS**, NRS 271.375 requires the City Engineer to report the Downtown NID Assessment Roll to the Board of Supervisors prior to adopting the Assessment Roll; and

**WHEREAS**, NRS 271.375 requires the Board of Supervisors to file the City Engineer's Assessment Roll with the Clerk's office; and

**WHEREAS**, NRS 271.380 requires the adoption of a Resolution to fix the time and place to hear complaints, protests and objections regarding the assessment and order notice of that public hearing; and

**NOW, THEREFORE, BE IT RESOLVED** that the Carson City Board of Supervisors hereby takes the following actions:

1. The Board of Supervisors estimates the assessment to be paid by the Downtown NID in FY 2018 ("Year Two") for the purpose of paying for maintenance of the Downtown Streetscape Enhancement Project at \$50,780, an amount equal to the Year One Assessment (\$49,736) plus the CPI (2.1%) as identified in Ordinance No. 2016-1, and estimates the Year Two Downtown NID assessment roll for each property within the NID to be in those amounts as set forth in EXHIBIT A, attached herewith; and

2. The Board of Supervisors directs City staff to file the City Engineer's Assessment Roll with the Clerk's office; and

3. The Board of Supervisors fixes the date and time for a hearing of complaints, protests and projections to be May 18, 2017, at the regularly scheduled meeting of the Board beginning at 8:30 a.m., to be held at 851 East William Street, Carson City, Nevada, and further directs staff to publish and provide notice of said public hearing in accordance with NRS 271.360, including the provision of notice to each owner of property located within the NID; and

4. The Board of Supervisors directs staff to publish and provide notice of said public hearing in accordance with NRS 271.360, including the provision of notice to each owner of property located within the NID.

Upon motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, this foregoing Resolution was passed and adopted this 20th day of April, 2017 by the following vote:

AYES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Robert L. Crowell, Mayor  
Carson City, Nevada

ATTEST:

\_\_\_\_\_  
Sue Merriwether, Clerk  
Carson City, Nevada

	Parcel No	Property Location	Owner Name	Bldg size	Specia Benefit Factor	% total bldg size	Assessment \$	50,780
<b><u>WEST SIDE OF CARSON ST</u></b>								
<u>W WILLIAMS AND N CARSON</u>	00118499	1020 N CARSON ST	HEIDI'S DUTCH MILL	2,259	100%	2,259	0.49%	\$ 248
	00118407	1020 N CARSON ST	ROSENTHAL, DONALD M ET AL	0	100%	-	0.00%	\$ -
	00118408	1000 N CARSON ST	THAYER, DONALD AND CATHERINE	1,500	100%	1,500	0.32%	\$ 165
<u>SOPHIA AND N CARSON</u>	00118802	922 N CARSON STREET	BROGISH LLC	2,625	100%	2,625	0.57%	\$ 288
	00118804	900 N CARSON STREET	BROOKS, BENTLEY Y & MONICA	2,100	100%	2,100	0.45%	\$ 231
<u>ANN AND N CARSON</u>	00119401	800 N CARSON STREET	MAFFI, JOE ROBERT	37,838	100%	37,838	8.18%	\$ 4,155
<u>W WASHINGTON AND N CARSON</u>	00328304	716 N CARSON ST	KAPLAN FAMILY TRUST	19,927	100%	19,927	4.31%	\$ 2,188
<u>W ROBINSON AND N CARSON</u>	00322301	500 N CARSON ST	ADAMS CARSON LLC	0	100%	-	0.00%	\$ -
<u>W SPEAR AND N CARSON</u>	00322402	420 N CARSON ST	NORTHERN NV COMSTOCK INV LLC	5,439	100%	5,439	1.18%	\$ 597
	00322403	410 N CARSON ST	DOUGLASS DEVELOPMENT LLC	4,403	100%	4,403	0.95%	\$ 484
	00322404	408 N CARSON ST	CHANEY, EUGENE FAM LIMITED PART	4,945	100%	4,945	1.07%	\$ 543
	00322409	402 N CARSON ST	CHANEY, EUGENE FAM LIMITED PART	5,951	100%	5,951	1.29%	\$ 654
<u>W TELEGRAPH AND N CARSON</u>	00322902	320 N CARSON ST	320 NORTH CARSON STREET LLC	2,690	100%	2,690	0.58%	\$ 295
	00322903	318 N CARSON ST	DOUBLE EAGLE CUBED LLC	13,441	100%	13,441	2.91%	\$ 1,476
	00322904	310 N CARSON ST	SCHMIDT, MARK & KIMBERLY TRUST	1,020	100%	1,020	0.22%	\$ 112
	00322905	308 N CARSON ST	SCHMIDT, MARK & KIMBERLY TRUST	1,275	100%	1,275	0.28%	\$ 140
	00322906	306 N CARSON ST	ADAMS 302 CARSON LLC	2,053	100%	2,053	0.44%	\$ 225
	00322907	302 N CARSON ST	ADAMS CARSON LLC	8,748	100%	8,748	1.89%	\$ 961
<u>W PROCTOR AND N CARSON</u>	00321301	111 W PROCTOR ST	CARSON INCUBATOR I LLC	8,390	100%	8,390	1.81%	\$ 921
	00321302	206 N CARSON ST	WARREN, RICHARD & WARREN, DC TR	11,519	100%	11,519	2.49%	\$ 1,265
	00321303	202 N CARSON ST	KNASIAK, JAMES W & BETTY TRUST	9,426	100%	9,426	2.04%	\$ 1,035
<u>SECOND AND S CARSON</u>	00311206	123 W SECOND ST	LOPICCOLO FAMILY TRUST 5/26/98	10,251	100%	10,251	2.22%	\$ 1,126
	00311203	210 S CARSON ST	BODIE NEVADA TRUST 12/27/11	1,924	100%	1,924	0.42%	\$ 211
	00311204	217 S CURRY ST	MERCURY CLEANERS INC	5,746	100%	5,746	1.24%	\$ 631
	00311205	224 S CARSON ST	LOPICCOLO FAMILY TRUST 5/26/98	5,685	100%	5,685	1.23%	\$ 624
<u>THIRD AND S CARSON</u>	00311309	310 S CARSON ST	LOPICCOLO INVESTMENTS LLC	12,906	100%	12,906	2.79%	\$ 1,417
	00311310	S CARSON ST	BERNARD BORTOLIN, LLC	0	100%	-	0.00%	\$ -
	00311311	312 S CARSON ST	BERNARD BORTOLIN, LLC	2,890	100%	2,890	0.62%	\$ 317
	00311312	314 S CARSON ST	BERNARD BORTOLIN, LLC	1,920	100%	1,920	0.42%	\$ 211
<u>FOUTH AND S CARSON</u>	00311602	400 S CARSON ST	BERNARD BORTOLIN, LLC	0	100%	-	0.00%	\$ -
	00311601	410 S CARSON ST	BERNARD BORTOLIN, LLC	4,208	100%	4,208	0.91%	\$ 462
	00311604	418 S CARSON ST	CUBIX ORMSBY LLC	2,079	100%	2,079	0.45%	\$ 228
<b><u>EAST SIDE OF CARSON ST</u></b>								
<u>E WILLIAMS AND N CARSON</u>	00216201	1017 N CARSON ST	MAPP ENTERPRISES, INC	1,653	100%	1,653	0.36%	\$ 182
<u>SOPHIA AND N CARSON</u>	00216304	917 N CARSON ST	B P HOTEL, LLC	31,890	100%	31,890	6.90%	\$ 3,502
	00216305	901 N CARSON STREET	B P HOTEL, LLC	0	100%	-	0.00%	\$ -
<u>ANN AND N CARSON</u>	00216402	801 N CARSON ST	BRINSON, BETTY	10,531	100%	10,531	2.28%	\$ 1,156
<u>E WASHINGTON AND N CARSON</u>	00426101	113 E WASHINGTON ST	CARSON LODGE #1 - MASONIC LODGE	4,929	100%	4,929	1.07%	\$ 541
	00426102	705 N CARSON ST	LAMKIN, ROBERT L AND ROBERTA A	1,731	100%	1,731	0.37%	\$ 190
<u>EAST CAROLINE AND N CARSON</u>	00426301	617 N CARSON ST	ADAMS CARSON LLC	0	100%	-	0.00%	\$ -

FY 2017-18 "Year-Two" Downtown Neighborhood Improvement District Maintenance Engineer's Assessment Roll

EXHIBIT A

	00426302	601 N CARSON ST	PARDINI FAMILY PROPERTIES LLC	3,920	100%	3,920	0.85%	\$	<b>430</b>
<u>E ROBINSON AND N CARSON</u>	00421111	507 N CARSON ST	ADAMS CARSON LLC	79,378	100%	79,378	17.17%	\$	<b>8,717</b>
	00421402	E SPEAR ST	ADAMS CARSON LLC	0	100%	-	0.00%	\$	-
<u>E TELEGRAPH AND N CARSON</u>	00421503	319 N CARSON ST	DAVIS / BENTHAM LLC	4,320	100%	4,320	0.93%	\$	<b>474</b>
	00421504	315 N CARSON ST	YAPLE, JON M AND JEANNE	1,958	100%	1,958	0.42%	\$	<b>215</b>
	00421508	311 N CARSON ST	JOHNSON, THOMAS Y AND LINDA E	7,644	100%	7,644	1.65%	\$	<b>839</b>
	00421506	301 N CARSON ST	JOHNSON FAMILY REVOCABLETRUST	9,282	100%	9,282	2.01%	\$	<b>1,019</b>
<b>CURRY STREET FRONTAGE - EAST</b>						-	0.00%	\$	-
<u>W WILLIAM AND N CURRY</u>	00118409	1007 N CURRY STREET	HAUTEKEET FAMILY TRUST	4,506	75%	3,380	0.73%	\$	<b>371</b>
<u>SOPHIA AND N CURRY</u>	00118801	115 W SOPHIA	BROGISH LLC	0	75%	-	0.00%	\$	-
	00118803	110 W ANN	CARSON CITY	0	75%	-	0.00%	\$	-
<u>SPEAR AND N CURRY</u>	00322401	411 N CURRY ST	NORTHERN NV COMSTOCK INV LLC	9,467	100%	9,467	2.05%	\$	<b>1,040</b>
	00322407	407 N CURRY ST	OLD GLOBE SALOON INC	1,641	100%	1,641	0.35%	\$	<b>180</b>
	00322406	110 W TELEGRAPH ST	JONES, K & M TRUST	6,160	100%	6,160	1.33%	\$	<b>676</b>
<u>W TELEGRAPH AND N CURRY</u>	00322408	108 W TELEGRAPH ST	CROWELL ENTERPRISES INC	2,311	100%	2,311	0.50%	\$	<b>254</b>
	00322901	111 W TELEGRAPH ST	BRUUN-ANDERSEN FAMILY EST TRUST	11,019	100%	11,019	2.38%	\$	<b>1,210</b>
<u>THIRD AND N CURRY</u>	00311315	S CURRY / THIRD	LOPICCOLO INVESTMENTS LLC	1,080	100%	1,080	0.23%	\$	<b>119</b>
	00311399	W THIRD ST	LOPICCOLO INVESTMENTS LLC	0	100%	-	0.00%	\$	-
	00311313	110 W FOURTH ST	BERNARD BORTOLIN, LLC	1,456	75%	1,092	0.24%	\$	<b>120</b>
	00311314	309 S CURRY ST	BERNARD BORTOLIN, LLC	0	75%	-	0.00%	\$	-
<u>W FOUTH AND N CURRY</u>	00311603	114 W FIFTH ST	CUBIX ORMSBY LLC	0	75%	-	0.00%	\$	-
<u>WILLIAM AND N CURRY</u>	00118302	1012 N CURRY ST	LEPIRE, GARRETT	0	75%	-	0.00%	\$	-
	00118304	1008 N CURRY ST	FOUR WINDS, LLC	924	75%	693	0.15%	\$	<b>76</b>
	00118306	1002 N CURRY ST	BRITTON, C M & SALKIN, H Q TR	2,053	75%	1,540	0.33%	\$	<b>169</b>
<u>SOPHIA AND N CURRY</u>	00118707	910 N CURRY ST	C & A INVESTMENTS LLC	0	75%	-	0.00%	\$	-
	00118705	904 N CURRY ST	T C J ENTERPRISES LLC	936	75%	702	0.15%	\$	<b>77</b>
<u>ANN AND N CURRY</u>	00119302	812 N CURRY ST	ADAMS CARSON LLC	0	75%	-	0.00%	\$	-
	00119305	808 N CURRY ST	ADAMS CARSON LLC	2,368	75%	1,776	0.38%	\$	<b>195</b>
	00119306	802 N CURRY ST	ADAMS CARSON LLC	0	75%	-	0.00%	\$	-
<u>W WASHINGTON AND N CURRY</u>	00328202	714 N CURRY ST	MKR VENTURES LLC	1,433	75%	1,075	0.23%	\$	<b>118</b>
	00328203	710 N CURRY ST	GRAVES, BRANDI & JONES, LINDSEY	1,250	75%	938	0.20%	\$	<b>103</b>
<u>W CAROLINE AND N CURRY</u>	00328502	201 W CAROLINE ST	RETRO INN LLC	11,684	75%	8,763	1.90%	\$	<b>962</b>
	00328503	N CURRY ST	RETRO INN LLC	0	75%	-	0.00%	\$	-
	00328504	602 N CURRY ST	SWAFFORD, DOYLE E & LORIE ET AL	2,446	75%	1,835	0.40%	\$	<b>201</b>
<u>W ROBINSON AND N CURRY</u>	00322202	512 N CURRY ST	KLETTE S & M E FAMILY TRUST	713	100%	713	0.15%	\$	<b>78</b>
	00322203	508 N CURRY ST	RPJ NV LLC	2,448	100%	2,448	0.53%	\$	<b>269</b>
	00322204	204 W SPEAR ST	BENGOCHEA LLC	3,307	100%	3,307	0.72%	\$	<b>363</b>
<u>W SPEAR AND N CURRY</u>	00322510	412 N CURRY ST	VERIVE, JENNIFER AND CAIN, GARY	3,331	100%	3,331	0.72%	\$	<b>366</b>
	00322503	402 N CURRY ST	PRUETT FAMILY TRUST	2,297	100%	2,297	0.50%	\$	<b>252</b>
	00322506	405 N NEVADA ST	PRUETT FAMILY TRUST	1,309	100%	1,309	0.28%	\$	<b>144</b>
<u>W TELEGRAPH AND N CURRY</u>	00322801	308 N CURRY ST	ADAMS 308 N CURRY LLC	18,352	100%	18,352	3.97%	\$	<b>2,015</b>
<u>W PROCTOR AND N CURRY</u>	00321201	234 N CURRY ST	ADAMS 308 N CURRY LLC	0	100%	-	0.00%	\$	-
	00321203	208 N CURRY ST	PLATINUM QUAIL LLC SERIES A	2,118	100%	2,118	0.46%	\$	<b>233</b>
	00321204	206 N CURRY ST	FLIEGLER, ROBERT MD LTD	1,333	100%	1,333	0.29%	\$	<b>146</b>

FY 2017-18 "Year-Two" Downtown Neighborhood Improvement District Maintenance Engineer's Assessment Roll

EXHIBIT A

	00321205	202 N CURRY ST	WARREN, RICHARD AND WARREN DC TR	1,242	100%	1,242	0.27%	\$	136
<u>W MUSSER AND N CURRY</u>	00321502	112 N CURRY ST	CURRY MUSSER PROCTOR & GREEN LLC	1,303	75%	977	0.21%	\$	107
	00321504	102 N CURRY ST	NEVADA PRESS FOUNDATION	3,541	75%	2,656	0.57%	\$	292
<u>W KING AND N CURRY</u>	00321710	201 W KING ST	201 W KING STREET LLC	2,788	75%	2,091	0.45%	\$	230
	00321711	106 S CURRY ST	JOOST, KAREN	954	75%	716	0.15%	\$	79
	00321713	110 S CURRY ST	SUMMO, DONALD W & EILENE H TR	1,123	75%	842	0.18%	\$	92
<u>W SECOND AND S CURRY</u>	00311401	300 S CURRY ST	SIERRA NV ASSOC OF REALTORS INC	5,528	75%	4,146	0.90%	\$	455
	00311403	314 S CURRY ST	SIERRA NV ASSOC OF REALTORS INC	0	75%	-	0.00%	\$	-
	00311404	310 S CURRY ST	BROWN, RANDY J INVESTMENTS LLC	1,419	75%	1,064	0.23%	\$	117
<u>W FOURTH AND S CURRY</u>	00311503	201 W FOURTH ST	BROWN, RANDY J INVESTMENTS LLC	0	75%	-	0.00%	\$	-
	00311505	202 W FIFTH ST	LANGSON, DON K	0	75%	-	0.00%	\$	-
	00311502	205 W FOURTH ST	DOESCHER FAMILY TRUST 12/4/03	0	75%	-	0.00%	\$	-
<b>PLAZA STREET FRONTAGE</b>								\$	
<u>WILLIAMS AND PLAZA</u>	00216202	1000 N PLAZA STREET	M & M BIGUE INVESTMENTS LLC	5,239	75%	3,929	0.85%	\$	432
<u>SOPHIA AND PLAZA</u>	00216303	110 E ANN STREET	SALAS, ANGELICA & GONZALEZ	2,465	75%	1,849	0.40%	\$	203
<u>E TELEGRAPH AND PLAZA</u>	00421502	107 E TELEGRAPH	T.L.A.C.P., LLC	2,150	75%	1,613	0.35%	\$	177
	00421501	111 E TELEGRAPH	PH PROPERTIES LTE PARTNERSHIP	2,948	75%	2,211	0.48%	\$	243
				Total	477,036	462,408	100%	\$	50,780



Downtown Neighborhood Improvement District  
FY 2017-18  
City Engineer's Assessment Roll

State of Nevada        }  
                                  }  
County of Carson City }

To the Board of Supervisors of Carson City, Nevada:

I hereby certify and report that the foregoing is the assessment roll and assessments made by me for the purpose of paying that part of the cost which you decided should be paid and borne by special assessment for the Downtown Neighborhood Improvement District for the maintenance of the Downtown Streetscape Enhancement Project; that in making such assessments, I have, as near as may be, and according to my best judgement, conformed in all things to the provisions of Chapter 271 of NRS.

  
\_\_\_\_\_  
Thomas Grundy, P.E., For City Engineer

Dated at Carson City, Nevada, April 11, 2017.

APN n/a  
APN \_\_\_\_\_  
APN \_\_\_\_\_

RECORDED AT THE  
CLERK TO  
THE BOARD  
2016 APR 21 PM 3:40  
FILE NO. 463799  
SUSAN MERRIWETHER  
CARSON CITY RECORDER  
FEES MC DEP KE

FOR RECORDER'S USE ONLY

Ordinance No. 2016-1: Neighborhood Improvement  
TITLE OF DOCUMENT District

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain personal information of any person or persons. (NRS 239B.030)

I, the undersigned, hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain personal information of a person or persons as required by law. State specific law: \_\_\_\_\_

Kathleen King  
Signature

\_\_\_\_\_  
Print Name & Title

WHEN RECORDED MAIL TO:

cc Clerk  
201 N. Carson St; Ste. 1  
cc, NV 89701

~  
- 463799

BILL NO. 115

ORDINANCE No. 2016-1

AN ORDINANCE CREATING THE DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT PURSUANT TO CHAPTER 271 OF THE NEVADA REVISED STATUTES FOR THE PURPOSE OF PAYING FOR A PORTION OF THE COSTS REQUIRED TO MAINTAIN THE DOWNTOWN STREETScape ENHANCEMENT PROJECT, WHICH INCLUDES IMPROVEMENTS TO CARSON STREET BETWEEN FIFTH STREET AND WILLIAM STREET, IMPROVEMENTS TO THIRD STREET BETWEEN CARSON STREET AND CURRY STREET, AND IMPROVEMENTS TO CURRY STREET BETWEEN MUSSER STREET AND ROBINSON STREET.

The Board of Supervisors of Carson City do hereby ordain:

SECTION I:

1. This ordinance creates the Downtown Neighborhood Improvement District (hereinafter "NID") pursuant to Chapter 271 of the Nevada Revised Statutes (hereinafter "NRS") based upon a petition submitted by property owners representing at least fifty percent of the assessed valuation of the properties within the NID. The NID's purpose is to cover that portion of the cost of ongoing maintenance for those off-street improvements first constructed along the frontages of private properties within the NID as part of the Downtown Streetscape Enhancement Project (e.g. sidewalks, landscaping, benches, etc.) that exceeds the maintenance costs already borne by Carson City for the frontages of those private properties.

2. Pursuant to NRS 271.325, the Board of Supervisors has determined that public convenience and necessity require the NID's creation, and that its creation is economically sound and feasible.

SECTION II:

The NID comprises only the area depicted on EXHIBIT A, including only the Assessor Parcel Numbers set forth on EXHIBIT C.

SECTION III:

The Downtown Streetscape Enhancement Project improvements that are to be maintained, in part, through NID-derived funds are graphically shown on Exhibit B, all of which front private properties within the NID's geographical boundaries. Maintenance of improvements fronting the public properties identified on Exhibit A are hereby expressly excluded from the NID and any NID-funded maintenance obligation.

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SECTION IV:

1. The property owners within the NID shall respectively be assessed for fiscal tax year 2016-2017 ("Year One") the amounts shown on Exhibit C for each such property.

2. The City currently spends approximately \$37,284 per year on maintenance of the areas where Downtown Streetscape Enhancement Project's improvements will be constructed. The City will hereafter continue to contribute at least that amount toward the maintenance of those improvements.

3. The present annual maintenance cost estimate for the Downtown Streetscape Enhancement Project's improvements, including those on Carson Street, Curry Street, and the Third Street Plaza, is \$107,335. That estimate includes improvements that front properties owned by the State of Nevada ("State") and Carson City ("City"), respectively. The State and City will continue to maintain all improvements along their building frontages (as they do currently). The State and City properties occupy 29% (2,600 feet of a total of 8,950 feet) of the property frontage where Downtown Streetscape Enhancement Project improvements will be constructed. The difference between the current maintenance expenditure by the City (\$37,284) and the Year One estimated maintenance cost (\$107,335) is \$70,051. The private property owners' annual maintenance cost share (71% of \$70,051) is therefore estimated to be \$49,736. This is the amount that will be assessed to property owners in Year One, as further detailed below in Section V of this Ordinance.

4. The Curry Street improvements under the Downtown Streetscape Enhancement Project are scheduled for construction two years after the Carson Street and Third Street improvements. It is the intent of this Ordinance to hereby establish a maintenance assessment for all of those improvements under the Downtown Streetscape Enhancement Project, including those made to Curry Street.

5. The NID Maintenance Plan, attached to this ordinance as Exhibit D, details the improvements to be maintained, the anticipated schedule and levels of maintenance of those improvements, and the estimated time and expense of that maintenance. The NID Maintenance Plan further provides for the power washing of sidewalks, garbage removal, general cleanup, landscape maintenance, and sidewalk snow removal.

SECTION V:

1. The NID's purpose is to self-assess its members in an amount equal to Carson City's increased maintenance costs for the portions of the Downtown Streetscape Enhancement Project that are constructed within the NID's geographic boundaries. No portion of any funds received from the NID, through assessment or otherwise, shall be used to pay all or any portion of an expense previously obligated for, or which has traditionally been borne by, the City.

2. This NID's geographic boundaries will include all non-excluded real property depicted on Exhibit A, with those included properties being assessed based upon the commercial building square footage of a property relative to the total commercial building square footage of all properties included within the NID. Generally,

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properties that directly front on the Downtown Streetscape Enhancement Project improvements are assessed at a 100% assessment rate, and properties that are elsewhere within the NID (i.e., are located on a side or adjacent street), are assessed at a 75% rate. All properties within the NID that are zoned exclusively residential (e.g., private homes and all private residences included within a mixed-use property) will be excluded from the NID and the resulting NID assessments. Where a change in use occurs for a property within the NID from commercial to residential or residential to commercial and that change becomes effective in the Assessor's records, the assessment will be adjusted with the next full assessment year as established at the time the Board of Supervisors confirms the assessment. No pro-ration by Carson City will be required for assessed NID properties sold during a tax year; rather, all such pro-rations will be privately addressed, if at all, by the buyer and seller to each such respective transaction. A Notice of NID Annual Assessment will be recorded against title to each and every assessed NID property.

3. The NID assessment shall be paid by each property owner in conjunction with such owner's property taxes for the year. Penalties and interest for delinquent amounts will be calculated in the same manner as for real property taxes. The assessment amount shall constitute a lien upon an assessed property and have the same priority as a lien for property taxes.

4. The total Year One assessment to all non-excluded property owners within the NID shall be \$49,736, collectively. The assessment shall be pro-rated each year among the NID's property owners based on the distribution method described in detail below.

5. The assessment shall increase each year by the Consumer Price Index for All Urban Consumers ("CPI") – All Items (1982-1984=100), as published by the U.S. Department of Labor, Bureau of Labor Statistics for the twelve month period ending December 31 next preceding the year for which the increase is being calculated, but in no event more than 5% on a year-over-year basis. An assessment shall not decrease from the prior year if the CPI goes negative for an evaluated period; provided, however, that once a credit balance of twenty percent (20%) above the projected cost of maintenance is established in the maintenance account for unexpected expenses (e.g. unanticipated heavy snow removal), the City shall reduce the assessment amount to the actual projected maintenance cost (if that cost is less than the base assessment amount plus CPI increases). If the credit balance decreases below 20% of the projected cost of maintenance, the assessment shall be increased that year to cover the projected cost of maintenance plus the additional cost to reestablish the 20% credit balance, but in no case shall the assessment be more than the base assessment plus CPI increases described above. If the cost of maintenance in any given year exceeds the assessed amount plus any available credit balance and the City incurs the cost to meet contractual maintenance obligations, the assessment shall be increased the following year to reimburse the City for those additional maintenance expenditures and replenish the credit balance but in no case shall the assessment be more than the base assessment plus CPI increases described above.

6. The City shall prepare the annual assessment estimate to be considered by the Board of Supervisors at or prior to its first meeting in June each year, at which time the Board of Supervisors may confirm the assessment by resolution and levy the assessment for the following tax year. In confirming the assessment, the Board of

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Supervisors shall direct the Clerk to submit the list of parcel numbers and the assessed amount for each property to the Carson City Treasurer. The Board of Supervisors authorizes the Treasurer to reduce or waive the amount for good cause pursuant to NRS 361.483 and NRS 361.4835.

7. In Year One and all subsequent years, Carson City must itemize and document the alleged increased maintenance costs by spreadsheet and corroborating documentation, which may include actual costs of maintenance or the cost of contracting the maintenance to a private company, as applicable.

8. All NID assessments shall be allocated, and all NID member voting shall be weighted, in the proportion to the square footage of each Member's NID building(s) bear(s) to the total square footage of all buildings within the NID, as reduced by 25% for each 75%-assessed NID Member, as detailed above and on Exhibit C. Square footage will be determined based upon the Carson City Assessor's Records.

9. Carson City and the State are not a part of the NID, and will be solely responsible for the maintenance of all improvements fronting their respective properties.

10. Upon request from the NID's board of directors, the Board of Supervisors may decrease the base assessment based upon an actual reduction in maintenance costs or other special considerations. The Board of Supervisors may further consider a request from the NID's board of directors for an increase in the base assessment to pay for other improvements or activities (such as marketing, advertising, equipment purchases, etc.), requests for increases in the levels of maintenance, or to modify the assessment percentages of property owners within the NID, as permitted by law, based on levels of service agreed to between the NID and City, so long as such a request is approved in writing by no less than those property owners within the NID that collectively represent at least 66-2/3% of the basis for assessment.

11. The City shall establish a procedure for obtaining a hardship determination on the basis of a property owner's ability to pay the assessment pursuant to NRS 271.357.

SECTION VI:

1. Pursuant to NRS 271.325(6), upon adoption of this Ordinance, the Board of Supervisors shall cause to be recorded in the office of the Carson City Recorder a certified copy of a list of the tracts to be assessed and the amount of maximum benefits estimated to be assessed against each tract in the assessment area, as shown on the assessment plat, as revised and approved by the governing body pursuant to NRS 271.320 (the area and the list of assessed properties). Neither the failure to record that list nor any defect or omission in that list shall affect the validity of any assessment, the lien for the payment thereof, or the priority of that lien.

2. In addition to the specific provisions of this ordinance, the NID shall be subject to all applicable requirements of NRS Chapter 271, Local Improvements.

SECTION VII:

EXHIBIT LIST. This ordinance contains the following exhibits:

- A. NID Map.
- B. Downtown Improvements Plan.
- C. NID Property List and Year-One Assessment
- D. NID Maintenance Plan and Cost Estimate

PROPOSED on December 17, 2015 by Supervisor Lori Bagwell.

PASSED January 7, 2016, by the following vote:

AYES: Supervisor Brad Bonkowski  
Supervisor Karen Abowd  
Supervisor Lori Bagwell  
Mayor Robert Crowell

NAYS: Supervisor Jim Shirk

ABSENT: None.

ABSTAIN: None.

  
ROBERT L. CROWELL, Mayor

ATTEST:

  
SUSAN MERRIWETHER, Clerk - Recorder

This ordinance shall be in force and effect from and after the 10<sup>th</sup> day of January, 2016.

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# PROPOSED DOWNTOWN NEIGHBORHOOD IMPROVEMENT DISTRICT

Exhibit A

